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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/611,382

06/30/2003

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418268880US

1517

63170 7590 04/04/2007  
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EXAMINER

GEREZGIHER, YEMANE M

ART UNIT

PAPER NUMBER

2144

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



**DETAILED ACTION**

1. This application has been examined. Claims 1-35 are pending.

***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 10-20, 27 and 35 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 10, 27 and 35 recite "...a computer program product comprising one or more computer readable media..." Claim 10, Claim Line 4-5 and similarly in claims 11-13, claim 27 and 35. The computer readable media is not limited to statutory subject matter. In view of Applicant's disclosure, specification page 9, lines ¶¶0018-0019, the computer readable media is not limited to tangible embodiments, instead being defined as including both tangible embodiments [e.g., computer readable storage media, see page 9, ¶0018 "... limitation, such computer-readable media can comprise physical computer-readable media such as RAM, ROM, EEPROM, CD-ROM or other optical disk storage, magnetic disk storage or other magnetic storage devices..."] and intangible embodiments [e.g., transmission media or other suitable media in which logic may be encoded for carrying instructions, See

page 9, ¶0018-19, “...or any other medium which can be used to carry or store desired program code means in the form of computer-executable instructions or data structures and which can be accessed by a general purpose or special purpose computer. The computer-readable media may include persistent memory or storage media, or may include volatile memory as is often used in system memory. When information is transferred or provided over a network or another communications connection (either hardwired, wireless, or a combination of hardwired or wireless) to a computer, the computer properly views the connection as a computer-readable medium. Thus, any such connection is properly termed a computer-readable medium. Combinations of the above should also be included within the scope of computer-readable media”. As such, the claims is/are not limited to statutory subject matter and is therefore non-statutory.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

Art Unit: 2144

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Midwinter (U.S. Patent Number 6,668,288) hereinafter referred to as Midwinter.

As per claims 1, 10, 21-24, 27-31 and 35: (e.g., exemplary Independent claim 1) Midwinter disclosed in a network environment that includes a trusted network, an intranet and an external network, and a lobby server that intercedes to allow external computing systems to be scrutinized before being admitted to a data conference with one or more intranet computing systems, a method for the lobby server establishing a data conference between one or more intranet computing systems and one or more external computing systems [Abstract, Fig. 1 and Column 1, Lines 39-60 and Column 2, Lines 29-32], the method comprising the following: an act of a lobby server receiving a request to establish a data conference from a conference organizing computing system in the intranet [Column 1, Lines 19-22 & Lines 51-56 and Column 4, Lines 44-65, data server receiving a request to establish a conference from an organizer utilizing a reservation system]; an act of determining that the conference organizing computing system is authorized to establish the data conference [Column 6, Lines 47-54, authorization access to establishing a data conference is determined]; an act of establishing a lobby that may be joined by potential participating computing systems in the external network, the lobby being an object or group of objects that permits authorization of potential participating

computing systems in the external without directly allowing access to the subject data of the data conference [Column 3, Lines 28-35, incoming requests from a computing device from the external network is received by the data server, but only for purpose of connecting it to the master data server]; an act of receiving a request to join the lobby or data conference from at least one of the potential participating computing systems in the external network [Column 3, Lines 2-12 and Column 5, Lines 50-52, a communication terminal logically connected to the external network (the Internet) and receiving a request to join the data conference from the participants at the data server]; an act of joining the at least one of the potential participating computing systems to the lobby [Fig. 3, # 114 joining participant(s) to the data conference]; an act of notifying the conference organizing computing system that the at least one potential participating computing system has requested access to the data conference [Column 4, Lines 26-65]; an act of receiving an indication from an intranet computing system that the at least one potential participating computing system is authorized to join the data conference [Column 6, Lines 46-53]; and an act of joining the at least one potential participating computing system to the data conference [Fig. 3, # 114 joining participants to the data conference]. Furthermore, since the invention of Midwinter is performed on a computer system, a computer readable storage media (claims 10-13, 27 & 35) storing the instructions on the computer readable storage media and when executed by a

computer system for carrying out the functional limitations of the invention is inherently disclosed.

As per claims 2, 14 and 25, Midwinter disclosed prior to the act of joining the at least one potential participating computing system to the lobby: an act of determining that the at least one potential participating computing system is authorized to join the lobby [Midwinter, Column 1, Lines 19-28 and Column 6, Lines 47-53, participating clients are challenged via authorization credentials including a password for joining the data conferencing].

As per claims 3, 15 and 32, Midwinter disclosed the act of determining that the at least one potential participating computing system is authorized to join the lobby comprises the following: an act of determining that the at least one potential participating computing system has properly provided a conference identifier corresponding to the data conference [Column 1, Lines 19-28 and Column 6, Lines 47-53, identifier and/or password corresponding to the conferencing is determined].

As per claims 4 and 16, Midwinter disclosed an act of determining that the at least one potential participating computing system has properly provided a password corresponding to the data conference [this functional limitation is substantially similar to the limitation(s) recited in claims 2 and 3 above. Thus, it is rejected with the same rationale].

As per claims 5, 17 and 33-34, Midwinter disclosed an act of determining that the at least one potential participating computing system has properly

provided a password corresponding to the data conference [Column 5, Lines 50-54, participating computing device providing a conference password].

As per claims 6 and 18, Midwinter disclosed an act of receiving an indication from the conference organizing computing system that the at least one potential computing system is authorized to join the data conference [Column 5, Lines 50-54, Column 1, Lines 19-28 and Column 6, Lines 47-53].

As per claims 7 and 19, Midwinter disclosed an act of facilitating communication between the conference organizing computing system and the at least one potential computing system in order to determine whether the at least one potential participating computing system is authorized to join the data conference [Column 5, Lines 5-55, a communication terminal in a private secure intranet enterprise network and participating computing devices further including authentication of the participating computing devices for authorization to join the data conferencing is performed].

As per claims 8 and 20, Midwinter disclosed an act of receiving an indication from an intranet computing system other than the conference organizing computing system that the at least one potential computing system is authorized to join the data conference [Column 5, Lines 5-55 and Column 6, Lines 47-54, authorization access to join a data conference is determined].

As per claim 9, Midwinter disclosed an act of facilitating communication between the intranet computing system and the at least one potential computing system in order to determine whether the at least one potential



participating computing system is authorized to join the data conference [Column 5, Lines 5-55, a communication terminal in a private secure intranet enterprise network and participating computing devices further including authentication of the participating computing devices for authorization to join the data conferencing is performed].

As per claim 26, Midwinter disclosed an act of challenging the at least one participating computing system such that the at least one participating computing system may successfully achieve the challenge if they are on an invitation list [Column 5, Lines 20-49, inviting and challenging invited participants of the data conference].

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

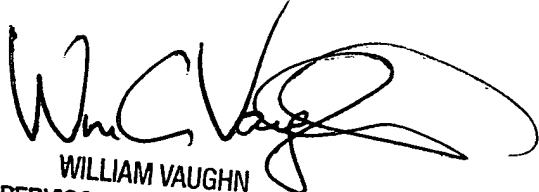
- a. Rodman et al. (US 20020103864 A1) entitled: "System and method for coordinating a conference using a dedicated server"
- b. Grabelsky et al. (US 20040003046 A1) entitled: "System and methods for providing instant services in an internet protocol network"

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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